

117.2.3 Visits to Site. When so directed by the building official or when required by the special inspection provisions of this code, the Missouri licensed design professional shall make visits to the site at intervals appropriate to the stage of the construction to observe the progress and quality of the work; to observe construction components requiring controlled materials or construction as specified in Chapter 44, Referenced Standards; and to determine if the work is proceeding in accordance with the construction documents approved for the building permit. The Missouri licensed design professional shall periodically submit reports to the building official showing the results of such periodic visits.

SECTION 118 WORKMANSHIP

118.1 General. All work shall be conducted, installed and completed in a neat, workmanlike and acceptable manner so as to secure the results intended by this code.

SECTION 119 CONDEMNATIONS

119.1 Notification. If upon making an inspection and examination of any occupied or unoccupied building, structure, or premises, the building official finds one or more of the defects described below, the building official shall notify in writing, as provided in Section 119.2, the owner(s) of said building, structure, or premises as recorded most recently in the City of Saint Louis Assessor's Office of the defects found in said building, structure, or premises and shall order them to proceed to properly demolish, repair and secure, or correct all conditions causing condemnation of said building, structure, or premises within seven days. This document is to be known as a Notice of Condemnation. If the conditions have not been corrected by the date listed in the notice, the building, structure, premises, or portion thereof or appurtenance thereto will be condemned and shall be required to be vacated, if occupied, and secured. Possible defects shall be permitted to be one or more of the following:

1. The building or structure is in a condition which endangers either the lives or safety of persons, whether occupants or otherwise, or other property;
2. The condition of the building or structure by reason of the making of an excavation on the lot on which it is located, or any adjoining lot, endangers either the lives or safety of persons, whether occupants or otherwise, or other property;

3. The building, structure or premises is a fire hazard for any reason, including, without limitation: obsolescence; dilapidation; deterioration; damage; lack of sufficient fire-resisting qualities; poor sanitation; or faulty electrical wiring, gas connections, or heating apparatus;

4. The building or structure lacks safe or adequate facilities for means of egress in case of fire or panic;

5. The building or structure has any one or more of the following conditions:

5.1 Improperly distributed loads upon the floors or roof;

5.2 Overloaded floors or roofs;

5.3 Insufficient strength to be reasonably safe for its actual or intended use;

6. Any portion of the building or structure has been so damaged by fire, earthquake, wind, flood, vandalism, malicious mischief, or any other cause, that the building or structure is no longer safe or suitable for its actual or intended use;

7. Any interior or exterior portion, member, appurtenance, ornamentation, or any other component of the building or structure is likely to fall or collapse, or become detached or dislodged and thereby injure persons or damage property;

8. Any portion of the building or structure has racked, warped, buckled, or settled to such an extent that its walls or other structural portions have insufficient resistance to fire, earthquake, wind, flood, or similar perils;

9. Part or all of the building or structure is in danger of collapsing for any reason;

10. The building or structure has exterior walls or other vertical structural members which list, lean, or buckle;

11. The building, structure, or premises or any portion thereof is, for any reason, unsafe for its actual or intended use;

12. The building or structure has been so damaged by fire, earthquake, wind, flood, vandalism, malicious mischief, or any other cause or has become so dilapidated, deteriorated, or decayed as to come within any one or more of the following categories:

12.1 The building or structure will attract and result in harm to children;

12.2 The building or structure is, or is likely to become, a harbor for vagrants or criminals;

12.3 The building or structure enables persons to resort thereto for the purpose of committing unlawful acts;

13. The building, structure, or premises has been constructed, exists, or is being maintained in violation of any provisions of this code or of any law of the City of Saint Louis;

14. The building or structure does not have the strength, fire-resisting qualities or weather-resisting qualities required by this code for newly constructed buildings of like area, height, and occupancy;

15. The building, structure, or premises is used or intended to be used for purposes that are likely to injure the health, safety, or welfare of persons who occupy or could occupy said building or structure by reason of any one or more of the following conditions:

15.1 Inadequate maintenance, dilapidation, deterioration, decay, or damage;

15.2 Faulty construction;

15.3 Inadequate light, ventilation, or sanitation facilities;

15.4 The building, structure, or premises is being used for any illegal purposes;

16. Any portion of the building or structure has been left remaining on a site after its demolition or destruction;

17. The building or structure is vacant for a period in excess of six months and because of its condition is unsafe, unsanitary, or endangers property or public health, safety, or welfare;

18. The building or structure is vacant and has been ordered secure or has been secured by order of the building official for a period in excess of twelve months and has been condemned for occupancy or has been used in the commission of a crime subsequent to being ordered secured or being secured;

19. The building or structure is only partly constructed and construction has stopped for a period in excess of six months, and because of its condition, affects the health, safety and welfare of the adjacent properties;

20. Any building or storage used for the manufacture or storage of methamphetamine, lysergic acid diethylamide, phencyclidine, gamma hydroxybutyrate, or flunitrazepam;

21. The existence of a continuing and dangerous condition of property due to the distribution of syn-

thetic drugs, modified synthetic products, or other modified products as has been substantiated by code enforcement or law enforcement authorities.

119.1.1 Evacuation Order; Failure to Comply. Any person who refuses to leave, interferes with the evacuation of other occupants, or continues any operation after having been given an evacuation order by the building official, except such person(s) directed to perform work to remove a violation or unsafe condition, shall be deemed in violation of this section whereupon it shall be the duty of the Police Department to immediately remove such person from said building, structure, or premises and prevent anyone from re-entering the building, structure, or premises until such time that the Police Department shall have been notified by the Division of Building and Inspection that the same is in a safe condition. Any person who shall violate this section shall be guilty of a misdemeanor and subject to the penalties as set forth in Section 25.01.030.

119.1.2 Dangerous Conditions. Whenever the building official shall find any building, structure or premises in such a condition that it presents a safety hazard, but not dangerous enough to warrant condemnation and demolition, and repair is relatively small in relation to the building as a whole, the building official shall post a sign on the premises which reads as follows:

WARNING ALL PERSONS ARE WARNED TO USE EXTREME CAUTION IN OR AROUND THESE PREMISES

Additionally, a letter shall be posted indicating those conditions in violation of this code and a copy of said letter shall be mailed to the owner(s) of said building, structure, or premises.

119.2 Service of Notice. The notice to the owner(s) of the building, structure, or premises found by the building official to be in violation of this code shall be directed to the owner(s) of such building, structure, or premises as recorded most recently in the City of Saint Louis Assessor's Office. The notice shall be served in one of the following ways:

1. Delivering directly to owner(s).
2. Posting a copy of said notice upon the building, structure, or premises.
3. Mailing a copy of said notice by regular mail, postage prepaid, direct to owner(s)' place of business or the address currently recorded in the Assessor's Office of the City of St. Louis.
4. Publication in a newspaper of general circulation in the City of Saint Louis.

119.2.1 Posting Copy of Notice. In case such building, structure, or premises is in the occupancy of a tenant(s), in addition to the above notice it shall be the duty of the building official to post a copy of such notice upon said building, structure, or premises. It shall be a violation of this code for any person to remove any notice or copy thereof lawfully posted pursuant to this code unless otherwise ordered by the building official.

119.3 Failure to Comply; Authority to Enter into Contracts. If the owner(s) fail to comply with the order of the building official by the date indicated in the Notice of Condemnation and in such a manner that can be approved by the building official, then such owner(s) shall have violated this code and the building official shall be permitted to forthwith proceed to undertake and complete whatever work is necessary to eliminate the dangerous condition. The Building Commissioner shall have the authority to enter into contracts with no other review, signature, or approval (except for insurance) from any other City agency. Such contracts shall be permitted to include, but not be limited to, demolition, environmental investigation, remedial work, professional, or contractual services. Competitive bids shall not be required for emergency situations where there is a danger to life or property. The cost of such work performed by the building official under the provisions of Sections 119 or 120 shall be paid for by the City of Saint Louis. The building official shall certify to the Comptroller the cost of such work including the administrative costs incurred by the Division of Building and Inspection in performing said work, but in no event shall such administrative costs exceed ten percent of the contract price incurred by the Division of Building and Inspection in performing such work. The Comptroller, upon certification by the building official of the cost expended for said work, shall prepare bills for such work against the owner(s) of said building, structure, or premises. In case said bills are not paid upon presentation, they shall be referred to the City Counselor, who shall proceed to collect same by suit or lien if necessary, and the amounts when collected shall be credited to a special revolving fund for the purposes herein designated.

119.3.1 Secured Buildings. For a building or structure to be "secured" in those cases in which securing is specifically required by this code, a covering shall be placed over all doors, windows, or other openings at the first floor level; all doors and windows that are accessi-

ble from any porch, service stair, or fire escape; and all basement or cellar windows. This cover shall consist of not less than $\frac{3}{8}$ inch plywood or other such material approved by the building official attached to the framing of all such doors and windows by wood screws, or any other material approved by the building official, of a minimum length of $1\frac{1}{2}$ inches, placed not more than twelve inches on center. Such plywood or other such material approved by the building official shall be painted with a minimum of two coats of exterior grade paint of a brick red or other color which is approved by the building official. It shall be the duty and responsibility of the building official to re-enter any premises or building or portion thereof that has previously been secured and boarded either by the City of Saint Louis or any other party when, in the opinion of the building official, there is reason to believe that there happens to be new or additional violations of this code. The building official shall not be held responsible for any damage to the building, structure, or premises caused by the act of securing.

119.3.2 Reentry of Secured Buildings. The occupancy of any building or structure which has been ordered secured or has been secured by order of the building official shall be prohibited until the owner of said building or structure obtains a certificate of inspection or an occupancy permit from the building official. Work performed on any building or structure as a prerequisite to a certificate of inspection shall not be considered occupancy of said building or structure.

119.4 Building Not to Be Rented or Leased. No owner or agent of the owner of any building, structure, or premises, after notice from the building official that such building, structure, or premises is unsafe or dangerous, shall rent or lease the same or any part thereof or collect any rent therefor until such building, structure, or premises has been placed in a safe and secure condition. The building official shall be permitted to require an occupancy permit to be issued prior to occupancy or re-occupancy. Any person found guilty of violating the provisions of this section shall be subject to the penalties as set forth in Section 25.01.030 regarding fine and imprisonment. Each day that a violation continues constitutes a separate and distinct offense.

119.5 Cost; Method of Payment; Lien; Penalty. The building official shall have the authority to require any violator of this code to correct, remove, or abate any condition caused or permitted by them in violation

of this code; and the building official shall be permitted to correct, remove, or abate the same upon their failure to comply with the requirements of this code when the public interest so requires. For all emergency condemned buildings or structures, the building official shall have the authority to receive and publicly open bids and award the contract to the lowest qualified bidder meeting the specifications without first sending said contract to the Comptroller. These contracts shall be signed by the Building Commissioner and countersigned by the Director of Public Safety and shall have the full effect of a City contract. All costs attending such action in such cases shall be paid from the appropriate fund as provided in Section 119.3 and then collected from the party offending as therein provided. A lien for such costs shall be placed against the property whereon such violation was permitted to exist. The cost shall also be certified to the Collector of Revenue or other official collecting real estate taxes, who shall cause a special tax bill against the property to be prepared and collected in the same manner and procedures as other real estate tax bills. Said special tax bill shall be deemed a personal debt against the property owner(s) and shall also be a lien on the property until paid. These bills or liens shall not be forgiven except by the City Counselor, who shall, in writing, instruct the building official to forgive such bills or liens. Further, board-up and demolition bills shall be permitted to be waived when ownership of said property for which the bill or lien was issued is accepted by Land Reutilization Authority, Saint Louis Development Corporation, or any other City agency. Any person, firm or corporation who shall refuse or neglect to comply with the provisions of this section or who shall violate any of the provisions thereof shall be subject to the penalties as set forth in Section 25.01.030. In addition, any payments deemed to be in arrears shall be subject to interest charges at a rate set by the Comptroller.

119.5.1 Prohibited Expenditures. The building official shall not expend any monies for demolition of buildings owned by Land Reutilization Authority, Operation Impact, Saint Louis Development Corporation, Port Authority, or any other governmental agency except in emergency situations where immediate action is required to preserve public health, safety, and welfare.

119.6 Vacation of Buildings; Duties of Police; Penalty. Upon effecting condemnation of any building, structure, or premises by the building official, it shall be

unlawful for any person to enter or remain in or on such building, structure, or premises until such time as the Police Department shall have been notified in writing by the building official that the same is in a safe condition. It shall be the duty of the Police to remove any person from such building, structure, or premises so condemned and to prevent any person from entering same until such time as the Police Department shall have been notified in writing by the building official that such building, structure, or premises is in compliance with this code. The provisions of this section shall not apply to licensed security guards or persons directly employed in securing the building, structure, or premises or otherwise abating the conditions causing the condemnation. Any violation of this section of the code shall be subject to the penalties as set forth in Section 25.01.030.

119.7 Removal of Decayed or Unsafe Trees. Whenever it shall come to the knowledge of the Forestry Commissioner that any tree on private property is in such a decayed or dangerous condition as to endanger the lives of persons or is likely to cause immediate damage to the property of others, the Forestry Commissioner shall cause said tree to be removed or cause such dangerous conditions to be remedied by the owner of the property whereon it is situated. The powers and duties of the Forestry Commissioner in respect to any such tree, the notice to the owner of the property whereon it is located, the cost of its removal or remedying the dangerous condition caused thereby, the lien of such cost, the method of its collection, the penalties to be incurred by the owner, and the procedure to be followed by the Forestry Commissioner shall, as nearly as practicable, be those prescribed by this section in respect to the building official's procedures for buildings and other structures which are in a dangerous condition.

If the Forestry Commissioner cannot secure removal of the dangerous tree by Forestry Division forces or by response of the owner to the Forestry Division notice, the Forestry Commissioner shall be permitted to request the assistance of the building official in condemning the tree and securing removal after emergency or public bid by private contractors resulting in a City of Saint Louis contract to remove the tree.

The condemnation, if appealed to the Board of Building Appeals, shall require the defense testimony of Forestry Division personnel knowledgeable about trees.

The Building Division shall be permitted to make available for tree removal contracts on private property a sum not to exceed five percent of the first two hundred thousand dollars of general fund demolition monies appropriated in a fiscal year, in addition to not more than three percent of any appropriated amount over \$200,000.00. The Forestry Division will prepare bid specifications and receive, process, and award such contracts billable to the Building Division demolition account subject to the dollar limits above. This procedure is for dead or dangerous trees on private property only and is not for encroachments, trimming, pruning, or other concerns.

119.8 Appeal. Any person aggrieved by the decision of the building official pursuant to Sections 119.1 through 119.7 shall be permitted to appeal such decisions to the Board of Building Appeals within ten calendar days of the date on the Notice of Condemnation. The Condemnation Committee of the Board of Building Appeals, selected by the Chairman, shall hear said appeal and render its decision affirming, modifying, or reversing the decision of the building official and, to such end, shall possess all the powers on appeal granted the building official under Sections 119.1 through 119.7. Such decision shall be subject to the procedures and review provided by the Administrative Procedure and Review Act of the State of Missouri. Filing of an appeal of any portion of Sections 119.1 through 119.7 does not stay any action provided in these sections.

119.9 Penalties. If the owner(s) fail to repair, demolish, or otherwise comply a building, structure, or premises as ordered by the Notice of Condemnation of the building official pursuant to Section 119.2 either within the seven-day period specified in Section 119.1 or within ten days after any appeal from said notice as provided in Section 119.8 is finally adjudicated adversely to said owner(s), then said owner(s) shall be guilty of a violation of this section and shall, upon conviction thereof, be subject to penalties as set forth in Section 25.01.030. Each day that any violation continues shall constitute a separate and distinct offense.

119.10 Responsibility of Ownership.

1. **Disclosure:** It shall be unlawful for any seller or grantor to convey, give, or transfer property to any buyer or grantee without first disclosing in writing to the buyer or grantee the existence of all Notices of Condemnation or any other violations of this code. The grantor shall keep and make available for inspection

by the building official such disclosure signed by the grantee for a period of one year from the conveyance, gift, or transfer.

2. **Liability to prosecution and conviction:** Any person shall be permitted to be prosecuted and convicted for violation of Section 119.1.1, notwithstanding that said person has not been given the notice specified in Section 119.1, provided that the building, structure, or premises in question had one or more of the defects described in Section 119.1 during the period that said person was responsible for said building, structure, or premises as owner, corporate officer, partner, or otherwise, and provided further that said prosecution is commenced during the one-year period after said person ceased to be so responsible.

3. **Liability to suit and judgment:** Any person shall be permitted to be sued by and held liable to the City of Saint Louis, as provided in Section 119.3, for funds expended by the City of Saint Louis pursuant to said section, notwithstanding that said person has not been given the notice specified in Section 119.1, provided that the building, structure, or premises in question had one or more of the defects described in said section during the period that said person was responsible for said building, structure, or premises as owner, corporate officer, partner, or otherwise, and provided further that said suit is commenced during the one-year period after said person ceased to be so responsible.

Owner(s) are presumed by law to know the conditions of their property whether or not such notice was given. Notices sent to the address of the owner(s) shown on the City of Saint Louis Assessors Office records on the date sent shall constitute legal notice in accord with Section 119.2.

119.11 Dangerous, Hazardous, Unsanitary, or Unapproved Plumbing, Mechanical, and Electrical Installations. The building official shall have the authority to seal out of service the items listed below when, in the building official's opinion, any of these items are in an unsafe, hazardous, or unsanitary condition; if a Certificate of Inspection has not been issued by the building official; or if the installation was made without obtaining the necessary permit(s):

1. Plumbing equipment, fixtures, piping, devices, and appurtenances covered by the Building and Plumbing Codes.
2. Mechanical equipment, devices, and appurtenances covered by the Building and Mechanical Codes.

3. Electrical equipment, fixtures, devices, wiring, and appurtenances covered by the Building and Electrical Codes;

119.11.1 Notice of Sealing Out of Service. Before sealing any device out of service, the building official, except in cases of emergency, shall serve seven days' written notice upon the building owner(s) or occupant(s) by United States mail stating intention to seal the equipment out of service and the reasons therefor. Notice shall be permitted to alternately be served by posting upon or immediately adjacent to the device proposed to be sealed.

119.11.2 Unlawful to Remove or Tamper with Seal. Any device sealed out of service by the building official shall be plainly marked with a sign or tag indicating such sealing and any defacing or removal of the sign or tag, any tampering with or removal of the seal without approval of the building official, or operation of the sealed unit shall constitute a violation of this code and shall subject the violator to the penalties as set forth in Section 25.01.030.

119.12 Cancellation of Condemnation. The building official shall have authority to cancel prior condemnations either for defects or for occupancy. A condemnation shall be permitted to be rescinded by the building official only after, in the official's opinion, all necessary repairs are made to such building, structure, or premises or otherwise compliance is obtained with the building official's orders to make such building, structure, or premises safe or occupiable and defects noted have been corrected.

119.12.1 Notice of Cancellation of Condemnations. Upon cancellation of a condemnation, a notice shall be directed to the owner(s) of the building, structure, or premises stating that the condemnation has been canceled. The service of such notice shall be done in the same manner as provided for in Section 119.2.

119.13 Vacant Building Inspection. The building official shall cause to be inspected any property that potentially is subject to the registration fee as established in Section 109.2.12. The inspecting officer shall report his findings and it shall be determined whether any such property shall be subject to the registration fee by the City. Within five business days of such determination, the building official shall notify by mail the owners of property on which the registration fee has been levied at the last known address according to the records of the office of the Assessor. The property owner shall have the right to appeal the decision of the

building official to the municipal court within 30 days of such notification. Absent the existence of any valid appeal or request for reconsideration the registration fee shall begin to accrue on the beginning of the second calendar quarter after the decision of the building official.

119.13.1 Reconsideration. Should the property owner, within 30 days of the building official making such notification, complete any improvements to the property that would be necessary to revoke the levy of the registration fee, they shall request a reinspection of the property and a reconsideration of the levy of the registration fee by the City. If the building official revokes the registration fee, no such assessment shall be made and the matter shall be considered closed. If the building official affirms the assessment of the registration fee, the property owner shall have the right to appeal the reconsideration decision to the municipal court within thirty days of such decision. Absent the existence of any valid appeal to the municipal court or other court of competent jurisdiction, the registration fee shall begin to accrue on the beginning of the second calendar quarter after the reconsideration decision of the building official.

119.13.2 Payment and Penalties. The building official shall establish procedures for the payment of the registration fee and penalties for delinquent payment of such fees. Any registration fees which are delinquent for a period of one year shall become a lien on the property and shall be subject to foreclosure proceedings in the same manner as delinquent real property taxes. The owner of the property against which the assessment was originally made shall be able to redeem only by presenting evidence that the violations cited by the building official have been cured and presenting payment of all registration fees and penalties. Upon bona fide sale of the property to an unrelated party said lien shall be considered released and the delinquent registration fee forgiven.

SECTION 120 EMERGENCY MEASURES

120.1 Procedure. When, in the opinion of the building official, a building, structure, or premises poses an immediate or imminent danger to the public health, safety, or welfare as defined in Section 119.1, the building official shall order the immediate evacuation and securing of said building, structure, or premises and shall be permitted to order all utilities to be discon-

STATE OF MISSOURI } ss I, the undersigned Register
CITY OF ST. LOUIS of said City do hereby certify the foregoing to be a true copy of

International Building Code;
Ordinance 76794; Section 119;
Approved July 6, 1968

the original of which is on file in this office.
Witness my hand and the seal of the City of St. Louis
this 19th day of January, 20 21

Don M. R.
REGISTER